

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 L-02 PM-03 NSC-05 SP-02 SS-15 RSC-01

CIAE-00 INR-05 NSAE-00 PRS-01 PA-01 USIA-06 /054 R

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R 150026Z NOV 74

FM SECSTATE WASHDC

TO AMEMBASSY BONN

INFO USMISSION USBERLIN

AMEMBASSY LONDON

USMISSION NATO

AMEMBASSY PARIS

C O N F I D E N T I A L STATE 252027

E.O. 11652: GDS

TAGS: PFOR, PGOV, US, UK, FR, GW

SUBJECT: REQUESTED PUBLICATION OF BK/L

REFERENCES: A) BONN 17044, B) USBERLIN 2007

1. WE AGREE WITH USBER THAT IT WOULD NOT ALWAYS BE CONVENIENT OR APPROPRIATE TO PERMIT PUBLICATION OF BK/L'S AND THAT OFFICIAL RELEASE OF BK/L'S IN SOME CASES WOULD CREATE COMPLICATIONS WHEN ALLIES FACED WITH REQUESTS FOR MORE CONTROVERSIAL DOCUMENTS. WE ALSO AGREE THAT BK/L'S, WHEN NOT CLASSIFIED, ARE STILL CONSIDERED BY ALLIED AND GERMAN AUTHORITIES TO BE, IN A SENSE, PRIVILEGED COMMUNICATIONS, AND THAT ADDRESSEE OF BK/L'S GOVERNING MAYOR (OR SENATSKANZLEI), SHOULD BE GIVEN OPPORTUNITY TO EXPRESS VIEWS ON RELEASE.

2. EMBASSY IS PROBABLY CORRECT WITH REGARD TO OUR INABILITY TO PROTECT UNCLASSIFIED BK/L'S UNDER US LAW, IF REQUEST FOR RELEASE MADE DIRECTLY TO US.

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WERE A REQUEST FOR AN UNCLASSIFIED BK/L TO BE MADE

TO US DIRECTLY, SINCE COPIES OF BK/L'S IN US POSSESSION WOULD BE DEEMED US GOVERNMENT RECORDS, IT COULD NOT BE REFUSED UNDER THE FREEDOM OF INFORMATION ACT AND STATE DEPARTMENT REGULATIONS UNLESS A DENIAL RECOMMENDATION WITH SUPPORTING REASONS WERE APPROVED BY THE ASSISTANT LEGAL ADVISER FOR MANAGEMENT. THERE IS NO READILY APPARENT LEGAL BASIS FOR RECOMMENDING

THAT A REQUEST UNDER THE FREEDOM OF INFORMATION ACT BE DENIED.

3. WE WOULD NOT OBJECT IN PRINCIPLE TO FRG INFORMALLY SHOWING TEXTS OF BK/L AND AIDE MEMOIRE TO THE "REPUTABLE EDITOR", ALTHOUGH WE WOULD APPRECIATE LEARNING HIS IDENTITY BEFORE CONCURRING IN THIS STEP. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PUBLICATIONS, INSTRUCTIONS, GOVERNMENT PROCUREMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 15 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: cunninfx
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE252027
Document Source: CORE
Document Unique ID: 00
Drafter: RWBECKER:L/EUR:DSMALL:DPL
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740329-1125
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741139/aaaabgsh.tel
Line Count: 76
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A) BONN 17044, B) USBERLIN 2007
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 07 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 MAY 2002 by boyleja>; APPROVED <18 MAR 2003 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: REQUESTED PUBLICATION OF BK/L
TAGS: PFOR, PGOV, US, UK, FR, GE
To: BONN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005